

Michigan Association for Pupil Transportation
Testimony before the
House Transportation and Infrastructure Committee
Tuesday, November 28, 2017
House Bill No. 4840

Chairman Cole and members of the House Transportation and Infrastructure Committee I want to thank you for the opportunity to speak with you today. My name is Howard "Mac" Dashney. I am the Senior Advisor to the Michigan Association for Pupil Transportation. Our Association represents 750 of Michigan's 824 public, private, and contractor school bus fleets.

Today I want to voice MAPT's concern with HB-4840. We are not opposed to the bill; however, we would like to see some changes. The bill as currently proposed deletes all of part three (3) of MCL 257.627a. Instead of deleting all of section 3, we recommend that the following wording change to this section: ***"School zone signs shall be placed in a highway segment over which a pedestrian overhead walkway is erected."*** We have four (4) reasons for this recommendation.

First, how will school districts enforce the use of a pedestrian bridge by schoolchildren?

Second, pedestrian bridges pose a liability concern for municipalities owning, maintaining, and operating them. In the late 1990s, a garbage truck with its box up hit and structurally destroyed the pedestrian bridge at Cedar Street and Mount Hope. That bridge provided a walkway for Maplewood Elementary students to cross Cedar Street to get to and from school. Schoolchildren were not on the bridge at the time it was struck. However, the City of Lansing did not replace the bridge. Transportation was provided for children living east of Cedar Street until the district closed Maplewood Elementary School.

Third, a district will need to designate and require the pedestrian bridge as part of a route to and from school. As such, a district may have some responsibility to keep the pedestrian bridge open for schoolchildren required to use it.

Fourth, removing school zone and school speed signs from an area of a pedestrian bridge will require a district to carry some if not all of the responsibility of the safety and welfare of the schoolchildren using that bridge. I direct you to the Michigan School Code, MCL 380.11a (3) (b), which reads in part *"Providing for*

*the safety and welfare of pupils while at school or a school sponsored activity or while **en route to or from school** or a school sponsored activity.” The Pupil Transportation Act, PA-187 of 1990, MCL 257.1855(4)(c) reads, “The driver of a school bus shall not stop the bus for the purpose of receiving or discharging pupils in the following manner. Upon a roadway constructed or marked to permit 3 or more separate lanes of vehicular traffic in either direction if the pupils are required to cross the road.”*

MAPT recommends adding school zone signs in areas with a pedestrian bridge. Schools will still have to indicate to parents and students to use the pedestrian bridge; however, if not followed school zone warning signs will alert approaching motorists of the need to use caution and look out for schoolchildren. Removing school-zone-warning-signs from the area of pedestrian bridges allows bad decisions to be made by both schoolchildren and motorists.

Thank you for the opportunity to speak with you today. I will respond to any questions or comments committee members may have.